

Complaint

IN THE MATTER OF

**CREAXION CORPORATION,
MARK PETTIT,
INSIDE PUBLICATIONS, LLC OF GEORGIA,
AND
CHRISTOPHER KOROTKY**

CONSENT ORDER, ETC. IN REGARD TO ALLEGED VIOLATIONS OF SECTION 5 OF THE FEDERAL
TRADE COMMISSION ACT

Docket No. C-4668; File No. 172 3066

Complaint, January 31, 2019 – Decision, January 31, 2019

This consent order addresses Creaxion Corp.’s endorsement and advertising format practices with respect to the advertising and promotional campaign they created and implemented for FIT Organic Mosquito Repellent. The complaint alleges that the respondents violated Section 5(a) of the Federal Trade Commission Act by misrepresenting that certain endorsements reflected the independent experiences or opinions of impartial users, and by deceptively failing to disclose that certain endorsers had material connections with the endorsed product, namely that they were paid spokespersons, they were reimbursed for the cost of the product, or they owned or were employed by Creaxion, the public relations firm hired to promote the product. The complaint also alleges that the respondents violated Section 5(a) by misrepresenting that certain advertisements were independent statements and opinions of impartial publications when they actually were paid commercial advertising. The consent order prohibits misrepresenting the status of any endorser or person reviewing the product or service, including that he or she is an independent user or ordinary consumer of the product or service; and any representation about any consumer or other endorser of such product or service without disclosing, clearly and conspicuously, and in close proximity to that representation, any unexpected material connection between such endorser and any respondent, or other individual or entity affiliated with the product or service.

Participants

For the *Commission*: Karen Mandel and Shira Modell.

For the *Respondents*: Craig G. Kunkes, Robbins Ross Alloy Belinfante Littlefield
LLC.

COMPLAINT

The Federal Trade Commission, having reason to believe that Creaxion Corporation, Mark Pettit, Inside Publications, LLC of Georgia, and Christopher Korotky (collectively, “Respondents”) have violated the provisions of the Federal Trade Commission Act, and it appearing to the Commission that this proceeding is in the public interest, alleges:

1. Respondent Creaxion Corporation (“Creaxion”) is a Delaware corporation with its principal office or place of business at 1080 Peachtree Street NE, Suite 1810, Atlanta, Georgia 30309. Creaxion is a marketing and public relations company.

Complaint

2. Respondent Mark Pettit is the Chief Executive Officer of Creaxion. Individually or in concert with others, he controls, or has the authority to control, or participated in, the acts and practices alleged in this complaint. His principal office or place of business is the same as that of Creaxion.

3. Respondent Inside Publications, LLC of Georgia (“Inside Publications”) is a Georgia limited liability company with its principal office or place of business at 1050 Crown Pointe Parkway, Atlanta, Georgia 30338. Inside Publications publishes specialty sports periodicals, including *Inside Gymnastics*, *Inside Cheerleading*, *Inside Dance*, *Inside Volleyball*, and *Cheer Biz*.

4. Respondent Christopher Korotky is the sole member and owner of Inside Publications. Individually or in concert with others, he controls, or has the authority to control, or participated in, the acts and practices alleged in this complaint. His principal office or place of business is the same as that of Inside Publications.

5. The acts and practices of Respondents alleged in this complaint have been in or affecting commerce, as “commerce” is defined in Section 4 of the Federal Trade Commission Act.

Course of Conduct

6. In April 2016, Creaxion was hired by HealthPro Brands Inc. (“HealthPro”) to help launch and promote FIT Organic Mosquito Repellent to consumers, media, retailers, and others. The parties agreed that Creaxion would produce a strategic media campaign tied to the worldwide outbreak of the Zika Virus.

**Promotional Agreements Related to the Zika Outbreak
and the 2016 Summer Olympics in Brazil**

7. In May 2016, Mr. Pettit (Creaxion) contacted Mr. Korotky (Inside Publications) to broker a partnership between HealthPro and Inside Publications, through which Inside Publications would distribute FIT Organic Mosquito Repellent to athletes and others attending the 2016 Summer Olympics in Brazil, the epicenter of the Zika outbreak.

8. HealthPro and Inside Publications subsequently entered a “Social and Digital Media Activation and Athlete Engagement” agreement for FIT Organic Mosquito Repellent [Ex. A], pursuant to which Inside Publications would be paid for providing the following services, among others:

- a. Publishing two magazine articles featuring FIT Organic Mosquito Repellent, including a “feature article” on the product discussing its background, use, and benefits, and an “advertorial” that would denote the product as the “Official Mosquito Repellent” of Inside Publications;

Complaint

- b. Placing FIT Organic Mosquito Repellent in promotional “Good Luck” gift baskets from *Inside Gymnastics* to the top ten potential male and female athletes competing for spots on the U.S. Olympic Gymnastics team;
- c. Procuring athlete endorsements for FIT Organic Mosquito Repellent – the proposal identified as a potential endorser Jake Dalton, a 2012 Olympian and World Champion gymnast, while the female athlete would be determined later;
- d. Designating FIT Organic Mosquito Repellent as the “Official Mosquito Repellent” of Inside Publications and directing its employees to travel with, use, and promote the product before and during the Olympic Games; and
- e. Promoting FIT Organic Mosquito Repellent on social media, specifically twenty-five posts by Inside Publications and fifteen or twenty posts by the athlete endorsers. The posts by Inside Publications would identify the product as the “Official Mosquito Repellent” of, as applicable, *Inside Gymnastics* or *Inside Volleyball* magazines. The proposal included an example post: “We’ve landed in Brazil and we’re applying our Fit Organic Mosquito Repellent as we cover the 2016 Olympic Games! USDA-certified organic. The real deal, just like us!”

9. Mr. Pettit acted as an intermediary between Inside Publications and HealthPro, forwarding the Inside Publications proposal to each for signature.

10. Olympic gold medal gymnast Carly Patterson Caldwell agreed in May 2016 to become a paid spokesperson for FIT Organic Mosquito Repellent. Under the agreement, Ms. Patterson Caldwell received several thousand dollars for her promotional activities, including taking part in social media posts and a feature advertorial published in *Inside Gymnastics*.

11. Olympic gold medal gymnast Jake Dalton agreed in July 2016 to become a paid spokesperson for FIT Organic Mosquito Repellent. Mr. Pettit negotiated the terms of that agreement with Mr. Dalton’s agent. Under the agreement, Mr. Dalton received several thousand dollars for his promotional activities, including promoting the product to his fans and social media followers in accordance with the Inside Publications proposal.

12. Creaxion’s responsibilities with respect to the FIT Organic Mosquito Repellent launch included managing gymnastics sponsorships and promotions, coordinating and managing the Inside Publications and Jake Dalton sponsorships, and coordinating the Carly Patterson Caldwell sponsorship. In this capacity, Mr. Pettit and Creaxion drafted, reviewed, and monitored social media posts endorsing FIT Organic Mosquito Repellent, including those by Jake Dalton and Inside Publications.

Complaint

Social Media Promotions of FIT Organic Mosquito Repellent

13. Pursuant to their respective endorsement agreements, spokespersons Ms. Patterson Caldwell and Mr. Dalton posted social media endorsements of FIT Organic Mosquito Repellent. In numerous instances, the endorsements did not disclose the spokespersons' paid promotional relationships with HealthPro. The posts include, but are not necessarily limited to, those compiled in the attached Exhibits B and C. These materials contain the following statements and depictions:

- a. Carly Patterson shared Inside Gymnastics's [sic] post
June 3 at 11:44am

I was definitely bummed to have to make the decision to not go to Rio for the summer Olympics because of the threat of the Zika virus, but working on starting a family and being safe and protecting myself was way more important to my husband and me! I am so thankful to have found a safe and organic product (FIT Organic) that will ease my worries as mosquito season approaches.

[Ex. B at 1 (Facebook post)]; and

- b. **jake_dalton** Looking forward to the holiday weekend! And, of course, I'll be using my organic mosquito repellent from @fitorganicusa. You should too! #Organic #Safe

[Ex. C at 3 (Instagram post with a picture of Mr. Dalton holding a bottle of FIT Organic Mosquito Repellent)].

14. Inside Publications also posted and reposted statements on social media about FIT Organic Mosquito Repellent, primarily through its *Inside Gymnastics* accounts, including some featuring endorsements by Mr. Dalton and Ms. Patterson Caldwell. In numerous instances, Inside Publications did not disclose the spokespersons' paid promotional relationships with HealthPro or that its own statements were paid commercial advertising. The posts included, but were not necessarily limited to, those compiled in the attached Exhibit D. These materials contain the following statements and depictions:

- a. **Inside Gymnastics** @InsideGym · 8 Jun 2016

Great choice champ! @Jake_Dalton will use @fitorganic mosquito repellent on the Road to Rio! #FightZika

[Ex. D at 1 (Twitter post with a picture of Mr. Dalton applying FIT Organic Mosquito Repellent to arm)];

- b. **insidegym** With summer weather still making waves across the country, mosquitos are also still out and about! Make sure to throw @fitorganicusa

Complaint

in your backpack! #clean #organic #safe #indiansummer [emoji omitted]

[Ex. D at 2 (Instagram post showing a bottle of FIT repellent)];

c. **insidegym** 🍑🍑

#Repost @fitorganicusa

U.S. Olympian @jake_dalton Ready for Closing Ceremonies in Rio. Protected by Fit Organic Mosquito Repellent!

[Ex. D at 2 (Instagram post with a picture of Mr. Dalton applying FIT Organic Mosquito Repellent to arm)];

d. **insidegym** Yes! We'll be packing this for Brazil ourselves! 🍑

#Repost @carlypatterson04 Thank you so much @fitorganicusa for the mosquito repellent! I love the smell & love that it's all organic & safe! I'm a buffet for mosquitoes so this is a game changer!

[Ex. D at 4 (Instagram post with a picture of Ms. Patterson Caldwell holding two bottles of FIT Organic Mosquito Repellent)].

***Inside Gymnastics Magazine Print and Online Articles Promoting
FIT Organic Mosquito Repellent***

15. On June 1, 2016, Mr. Pettit emailed HealthPro the text of a draft Carly Patterson Caldwell advertorial for *Inside Gymnastics*, which he helped craft with Mr. Korotky and Inside Publications.

16. Later that day, Mr. Pettit emailed a substantially similar draft to which he added a reference to the donation of FIT Organic Mosquito Repellent to charities.

17. Inside Publications published an online version of the "Caring for Carly" article on June 2, 2016, on the *Inside Gymnastics* website, www.insidegymnastics.com. [See Ex. B at 3.]

18. Inside Publication posted a link to the online article on the *Inside Gymnastics* Facebook page on June 3, 2016, which Ms. Patterson Caldwell reposted on Facebook the same day. [Ex. B at 1, 3.]

Complaint

19. In July 2016, *Inside Gymnastics* magazine published its *Guide to the Games* print issue, which included the below “social scene” article [Ex. E at 5]:

Posts that have people talking!

social | scene



caring for carly

FIT ORGANIC STEPS UP TO PROTECT FORMER OLYMPIC GOLD MEDALIST FROM MOSQUITOS THAT COULD TRANSMIT ZIKA VIRUS

2004 Olympic Gold Medalist Carly Patterson-Caldwell was looking forward to joining her Olympic family in Rio for the 2016 summer Games. However, because she is focused on starting a family of her own, Patterson-Caldwell made the difficult decision not to attend the Games. “I just couldn’t risk our future with the threat of the Zika virus,” she said. So instead of Rio, Carly and her husband Mark will be spending the summer at home, just outside of Dallas. There’s just one problem: The Texas State Health Department is preparing for what could be a large scale outbreak of the Zika virus. Patterson-Caldwell could be just as much at risk for Zika in her own backyard as she would have been in Rio.

Hearing about her story through the team at *Inside Gymnastics* magazine—and knowing of the potential Zika virus outbreak in Texas, Fit Organic CEO Todd Wichmann sprang into action. His marketing team contacted Patterson-Caldwell, offering her and her family a lifetime supply of his new USDA-Certified organic mosquito repellent, scientifically proven to repel mosquitos that might transmit the Zika virus. More importantly, the company says it’s safe for pregnant women and children.

“I was so touched and thankful that Fit Organic reached out to me,” said Patterson-Caldwell. “I’ve been looking for an organic product that would repel mosquitos and keep my family safe from the Zika virus. Fit Organic Mosquito Repellent is exactly what I was looking for. Fit Organic’s CEO said it was the least he could do, especially when he learned that Patterson-Caldwell was planning on becoming a mom. “I’m a parent before anything else,” said Wichmann. The goal is to protect them - like Carly and her family—from the Zika virus.

Fit Organic Mosquito Repellent can be purchased online at Amazon.com or at FitOrganic.com.



Complaint

20. The *Guide to the Games* issue also included the following article [Ex. E at 6]:

the latest on
ZIKA

Many traveling to the Olympic Games are concerned about the Zika virus and its potential affects. Some, including former Olympic Champ Carly Patterson-Caldwell, even decided not to attend the Games because of Zika concerns (see story earlier in issue). Here is some information from the CDC on the disease.

"Zika virus disease (Zika) is a disease caused by the Zika virus, which is spread to people primarily through the bite of an infected *Aedes* species mosquito. The most common symptoms of Zika are fever, rash, joint pain, and conjunctivitis (red eyes). The illness is usually mild with symptoms lasting for several days to a week after being bitten by an infected mosquito. People usually don't get sick enough to go to the hospital, and they very rarely die of Zika. For this reason, many people might not realize they have been infected. However, Zika virus infection during pregnancy can cause a serious birth defect called microcephaly, as well as other severe fetal brain defects. Once a person has been infected, he or she is likely to be protected from future infections."

During the Games, the team at Inside Gymnastics will be using Fit Organic Mosquito Repellent Spray, the official mosquito repellent of Inside Gymnastics magazine. Five years in development, the new Fit Organic Mosquito Repellent Spray is a unique formula comprised of two key ingredients: organic lemongrass grown in Nepal and organic oleic acid derived from sunflowers in the United Kingdom. The company is providing product complimentary to a number of athletes, including U.S. gymnast Jake Dalton.



Complaint

21. On or around August 17, 2016, Inside Publications also posted on the *Inside Gymnastics* website a third article referring to FIT Organic Mosquito Repellent [Ex. F]:

Move Over, Mosquitos!

A lot of headlines leading up to the Olympics have centered around Brazil's battle with Zika. Athletes are mindful of the situation and are taking precautions to ensure their protection. U.S. Gymnast Jake Dalton recently became a Brand Ambassador for Fit Organic, a company that produces an organic mosquito repellent, which he uses daily in Rio. "I actually have Fit Organic right by the door and I use it right before we go out every day to protect ourselves. I use it if I want to go out and sit on the balcony because I like to be outdoors. It's just one less thing I have to worry about now. My family is also going to be using it here in Rio." The team at Inside Gymnastics is also using Fit Organic throughout our stay in Rio, and we thank them for supplying us with product!

22. The articles "Caring for Carly," "the latest on ZIKA," and "Move Over, Mosquitos!" did not disclose they were paid commercial advertising. [See, e.g., Exs. E, F.]

Creaxion's Online Consumer Review Program

23. Creaxion also conducted an online consumer review program that reimbursed individuals, including Mr. Pettit and other Creaxion employees, for purchasing FIT Organic Mosquito Repellent and posting online reviews. Examples of such reviews are compiled in the attached Exhibit F. These materials contain the following statements and depictions:

- a. **Worked for me in Brazil** 9/29/2016



by **Mark**

I used this product on a recent hike in a Brazilian rainforest and didn't get a single mosquito bite. A fellow hiker had been bitten by several mosquitos. Apparently, the spray he was using did not work. I loaned him my Fit Organic repellent and he loved it. He finished the hike without any more bites. This product smells great and is light on your skin. I highly recommend it;

- b. **Works great** 10/5/2016



by **BeewhisperDon**

With all the rain we have had in Southeast [sic] NC this year the mosquitoes have been terrible. After returning from Brazil, my [sic] brother Mark told me about this amazing [sic] spray he used there to combat the mosquitoes. I ordered mine right away. After only one

Complaint

application I was sold. The little buggers wouldn't even land. All natural, smells great, not greasy. It works!!!;

- c. **Works and smells great!** 9/28/2016

by **Laura**

Great product and doesn't make you cough or feel like you're putting on chemicals when you spray it on like DEET. Not only does it work, it smells so fresh and natural. I'm very satisfied; and

- d. **Great Product!** 11/8/2016

by PatyG Verified purchaser

I recommend this product. I really like the smell of it and that [sic] is deet free. I am constantly at parks with my kids and I feel comfortable reapplying the product without compromising [sic] my kids [sic] skin with chemicals. The lemongrass scent is awesome! I love this brand I was already using the vegetable wash.

[Ex. G at 1, 4-5.]

24. The reviews did not disclose that the reviewers were reimbursed for buying the product or the reviewers' relationships to the public relations and marketing company hired to promote the product. [See, e.g., Ex. G.]

Count I
False or Misleading Endorsement Claims

25. Through the means described in Paragraphs 13, 14, 19, and 20, Respondents have represented, directly or indirectly, expressly or by implication, that the statements by and depictions of Ms. Patterson Caldwell and Mr. Dalton about FIT Organic Mosquito Repellent reflected the independent experiences or opinions of impartial users.

26. Through the means described in Paragraphs 23 and 24, Respondents Creaxion and Pettit have represented, directly or indirectly, expressly or by implication, that the statements about FIT Organic Mosquito Repellent by Respondent Pettit and other participants in Respondent Creaxion's online consumer review program reflected the independent experiences or opinions of impartial users.

27. In fact, the statements by Ms. Patterson Caldwell, Mr. Dalton, Respondent Pettit, and other participants in Respondent Creaxion's online consumer review program did not reflect the independent experiences or opinions of impartial users because (a) they were created as a part of an advertising campaign to promote FIT Organic Mosquito

Complaint

Repellent, and (b) the online consumer reviews were by individuals who were reimbursed for buying the product and included statements by the owner and employees of the public relations firm hired to promote the product. Therefore, the representations set forth in Paragraphs 25 and 26 are false or misleading.

Count II
Deceptive Failure to Disclose Material Connections with Endorsers

28. Through the means described Paragraphs 13, 14, 19, and 20, Respondents have represented, directly or indirectly, expressly or by implication, that the statements by Ms. Patterson Caldwell and Mr. Dalton about FIT Organic Mosquito Repellent (and related depictions) reflected their experiences or opinions.

29. Through the means described in Paragraphs 23 and 24, Respondents Creaxion and Pettit have represented, directly or indirectly, expressly or by implication, that the statements about FIT Organic Mosquito Repellent by Respondent Pettit and other participants in Respondent Creaxion's online consumer review program reflected the experiences or opinions of individuals who had used the product.

30. In numerous instances in which Respondents made the representations set forth in Paragraphs 28 and 29, they failed to disclose, or disclose adequately, that (a) Ms. Patterson Caldwell and Mr. Dalton were paid to endorse FIT Organic Mosquito Repellent, and (b) the online consumer reviews were by individuals who were reimbursed for buying the product and included statements by the owner and employees of the public relations firm hired to promote the product. These facts would be material to consumers in evaluating the endorsements of FIT Organic Mosquito Repellent in connection with a purchase or use decision.

31. Respondents' failure to disclose the material information described in Paragraph 30, in light of the representations made in Paragraphs 28 and 29, is a deceptive act or practice.

Count III
Deceptively Formatted Advertising

32. Through the means described in Paragraphs 14 and 19 through 22, Respondents have represented, directly or indirectly, expressly or by implication, that the social media posts by *Inside Gymnastics* and other Inside Publications magazines about FIT Organic Mosquito Repellent, and the articles "Caring for Carly," "the latest on ZIKA," and "Move Over Mosquitos!" were independent statements and opinions of impartial publications regarding FIT Organic Mosquito Repellent.

33. In fact, those posts and articles were not independent statements and opinions of impartial publications regarding FIT Organic Mosquito Repellent; they were paid commercial advertising. Therefore, the representation set forth in Paragraph 32 is false or misleading.

Complaint

Violations of Section 5

34. The acts and practices of Respondents as alleged in this complaint constitute unfair or deceptive acts or practices in or affecting commerce in violation of Section 5(a) of the Federal Trade Commission Act.

THEREFORE, the Federal Trade Commission this thirty first day of January, 2019, has issued this Complaint against Respondents.

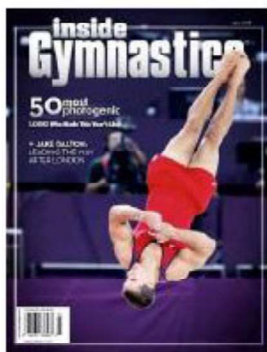
By the Commission.

Complaint

Exhibit A



Inside Publications
Proposal Prepared For Fit Organic
Social and Digital Media Activation and Athlete Engagement

**Inside Publications Brands**

Inside Gymnastics, Inside Volleyball, Inside Cheerleading, Cheer Biz, Inside Dance

Educational / Feature Elements / Advertorial
 Jul/Aug issue of *Inside Gymnastics*, Summer issue of *Inside Volleyball*

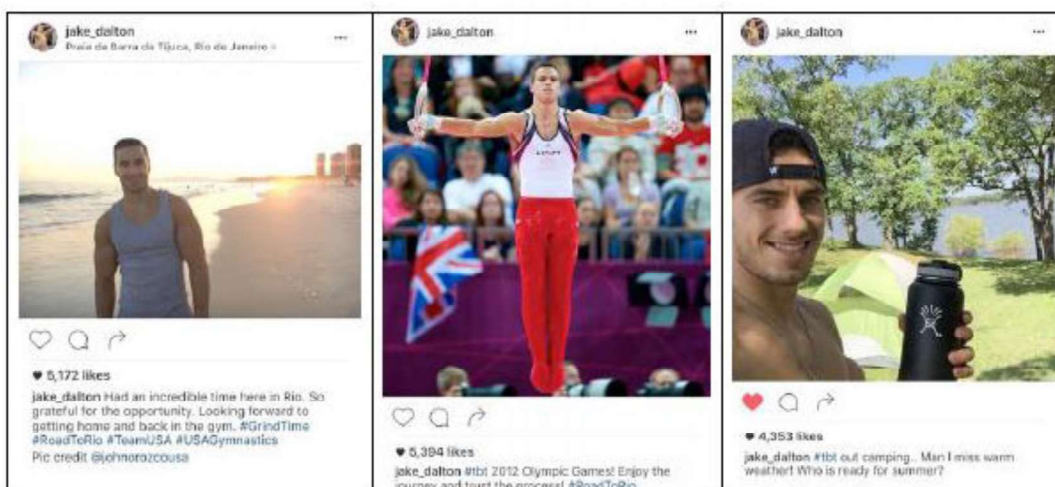
*Feature article on the product with background on development, explanation of use & benefits
 *Advertorial will be tagged denoting that Fit Organic is the "Official Mosquito Repellent" of Inside Publications (see below)

**Gift Basket Inclusion, Sampling**

Inside Gymnastics will be sending "Good Luck" gift baskets to the top 10 potential U.S. women and top 10 potential U.S. men vying for spots on the team. Fit Organic will be included in each of the 20 gift baskets with a product and note.

Athlete Endorsement

Jake Dalton - 2012 Olympian, World Championship medalist, U.S. National Champion on Floor and Vault

**Female Athlete - TBD**

Complaint

Official Mosquito Repellent of Inside Publications (in actual posts, product would be listed as Official Mosquito Repellent of Inside Gymnastics and Inside Volleyball magazines)

Fit Organic becomes the Official Mosquito Repellent of Inside Publications and the team will travel with, use and promote the product leading up to the Games and during the Games

Social Media

Inside Publications and Endorsed Athlete will promote Fit Organic through social media leading up to the Games and during the Games. The teams will travel with the product and show it in use in photo posts during the Games.

* 25 Social Media Posts from Inside Publications (700,000 Followers combined FB, Instagram, Twitter) now through the Games

* 20 Social Media posts from Jake Dalton now through the Games (300,000+ Followers)

* 15 Social Media posts from female athlete now through the Games (TBD)

Example post: "We've landed in Brazil and we're applying our Fit Organic Mosquito Repellent as we cover the 2016 Olympic Games! USDA-certified organic. The real deal, just like us!"

Note: In addition to our Olympic-oriented sports, *Inside Cheerleading* and *Inside Dance* also have target audiences that are outdoors quite frequently – for camps, practices, game day, etc where the product would be of interest and beneficial as well, particularly given that it is safe for children.

Packaged Program Fee:

- ☐ \$7,000 (Including Male Athlete Involvement)
- ☐ \$9,500 (Including Female Athlete Involvement)

Note: Male/Female Athletes to be approved by both parties.

Agreed to,

Chris Korotky, Inside Publications



Todd Wichmann, Fit Organic

###

Complaint

Exhibit B

3/23/2017 Carly Patterson - Timeline

Carly Patterson

Like Follow Share

Carly Patterson
@CarlyPatterson

Home
Posts
Videos
Photos
About
Likes

Carly Patterson shared Inside Gymnastics's post.
June 3, 2016 ·

I was definitely bummed to have to make the decision to not go to Rio for the summer Olympics because of the threat of the Zika virus, but working on starting a family and being safe and protecting myself was way more important to my husband and me! I am so thankful to have found a safe and organic product (FIT Organic) that will ease my worries as mosquito season approaches.

Inside Gymnastics
June 3, 2016 · Like Page

FIT Organic steps up to protect former Olympic gold medalist from mosquitoes that could transmit Zika virus:

Athlete

Invite friends to like this Page

Official Facebook page of Carly Patterson, Olympic Gold Medalist, World Champion, USAG Hall of Fame member & TWU Alum!!
<http://blog.carlyspeaks.com/>

63,522 Likes
Tara Owen, Jeroleman and 3 other friends like this

About See All

www.carlypatterson.org/
Athlete

Visitor Posts

Louis Turi
March 15 at 3:46pm

Search

Tyler Mize likes Hunter Wilson's photo.
Wendell York likes John Shopka's photo.
David McFadden likes Greg Hicks's photo.
Matt New likes Luis Far Pacheco's photo.
Heather Serfass
Sean Sobottka
Bryan Morris
Chris Brandon
Todd Schaffer
Dan Buckley
Bobby Duffield
John Ladey
Richard Cherry
Alan Owen
Bob Jamieson

MORE CONTACTS (29)

<https://www.facebook.com/CarlyPattersonUSA/posts/10156960294565261/?qof=1>

Ex. B, Page 1 of 3

1/10

Complaint

3/23/2017

Carly Patterson - Timeline



Timeline Photos

Options Share Send Like



Carly Patterson

Like This Page · June 1, 2016 ·

Thank you so much FIT Organic for the mosquito repellent! I love the smell & love that it's all organic & safe! I'm a buffet for mosquitos so this is a game changer! — with Carly Patterson Caldwell.

Like Comment Share

Mark Pettit and 305 others

Top Comments

237 shares

44 Comments



Carly Patterson Of course!! But I'm going to make you come to Dallas to get it!

Like · Reply · June 1, 2016 at 9:23pm



Stacy Amador Does it really work?

Like · Reply · 1 · June 2, 2016 at 1:36am

Carly Patterson Yes! It's been tested and proven even on the mosquitos that carry Zika! And it smells good!

Like · Reply · 2 · June 2, 2016 at 10:54am

View more replies



Sarah Marquez Can it be used on toddlers and infants?

Like · Reply · June 2, 2016 at 11:42am



Write a comment...

Complaint

 **Carly Patterson** shared **Inside Gymnastics's** post
June 3 at 11:44am · 

I was definitely bummed to have to make the decision to not go to Rio for the summer Olympics because of the threat of the Zika virus, but working on starting a family and being safe and protecting myself was way more important to my husband and me! I am so thankful to have found a safe and organic product (FIT Organic) that will ease my worries as mosquito season approaches.

 **Inside Gymnastics**
June 3 at 4:56am · 

 Like Page

Fit Organic steps up to protect former Olympic gold medalist from mosquitoes that could transmit Zika virus:



Caring for Carly | Inside Gymnastics
2004 Olympic Gold Medalist...
INSIDEGYMNASTICS.COM

 Like  Comment  Share

  95

Chronological +

Complaint

Exhibit C

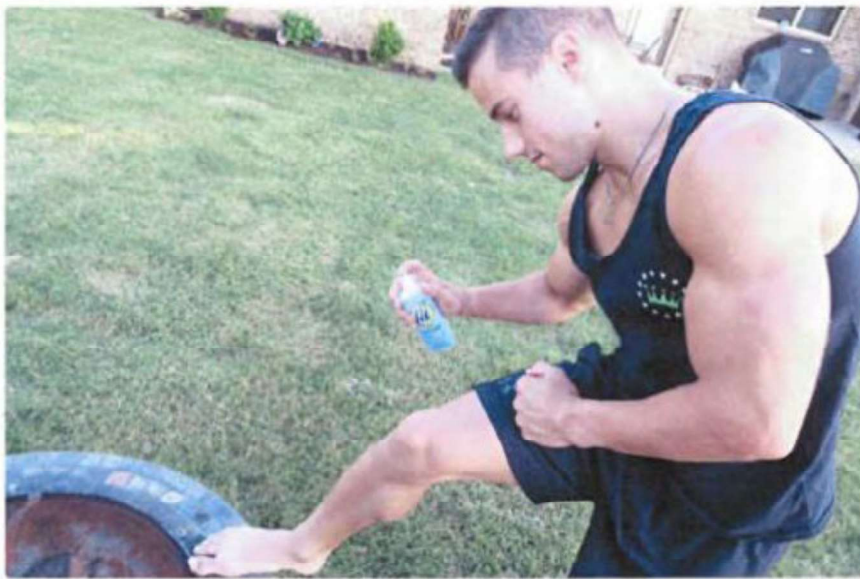
Jake Dalton on Twitter: "Getting Rio Ready! Not worried about Zika. F...dy covered. Love the Fit mosquito repellent <https://t.co/9XS4Z6OPgN>" 4/7/17, 4:44 PM



Jake Dalton ✓

Following

Getting Rio Ready! Not worried about Zika. Fit Organic has my back and body covered. Love the Fit mosquito repellent



9

106



5

9

106



Brandon G.

@jake_dalton

https://twitter.com/jake_dalton/status/743830095668731905?lang=en

Page 1 of 1

Complaint

YouTube | Jake Dalton (@jake_dalton) • Instagram photos and videos

4/7/17, 4:27 PM



jake_dalton

Following

26,823 likes

32w

jake_dalton Made it back to the US!
Thanks @fitorganicusa for protecting me
during my trip in Rio!!

[view all 79 comments](#)

priscillaa_12 @mralex43 the real daddy

[Add a comment...](#)

https://www.instagram.com/p/BJfTRwwjBMc/?taken-by=jake_dalton

Page 1 of 1

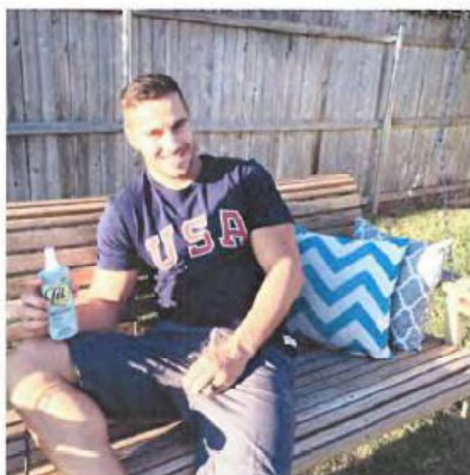
Ex. C, Page 2 of 3

InsidePub-000099

Complaint

YouTube | Jake Dalton (@jake_dalton) • Instagram photos and videos

4/7/17, 4:26 PM



jake_dalton

Following

20,900 likes

30w

jake_dalton Looking forward to the holiday weekend! And of course, I'll be using my organic mosquito repellent from @fitorganicusa. You should too! #Organic #Safe

Add a comment...

https://www.instagram.com/p/BJ32P-zDr00/?taken-by=jake_dalton

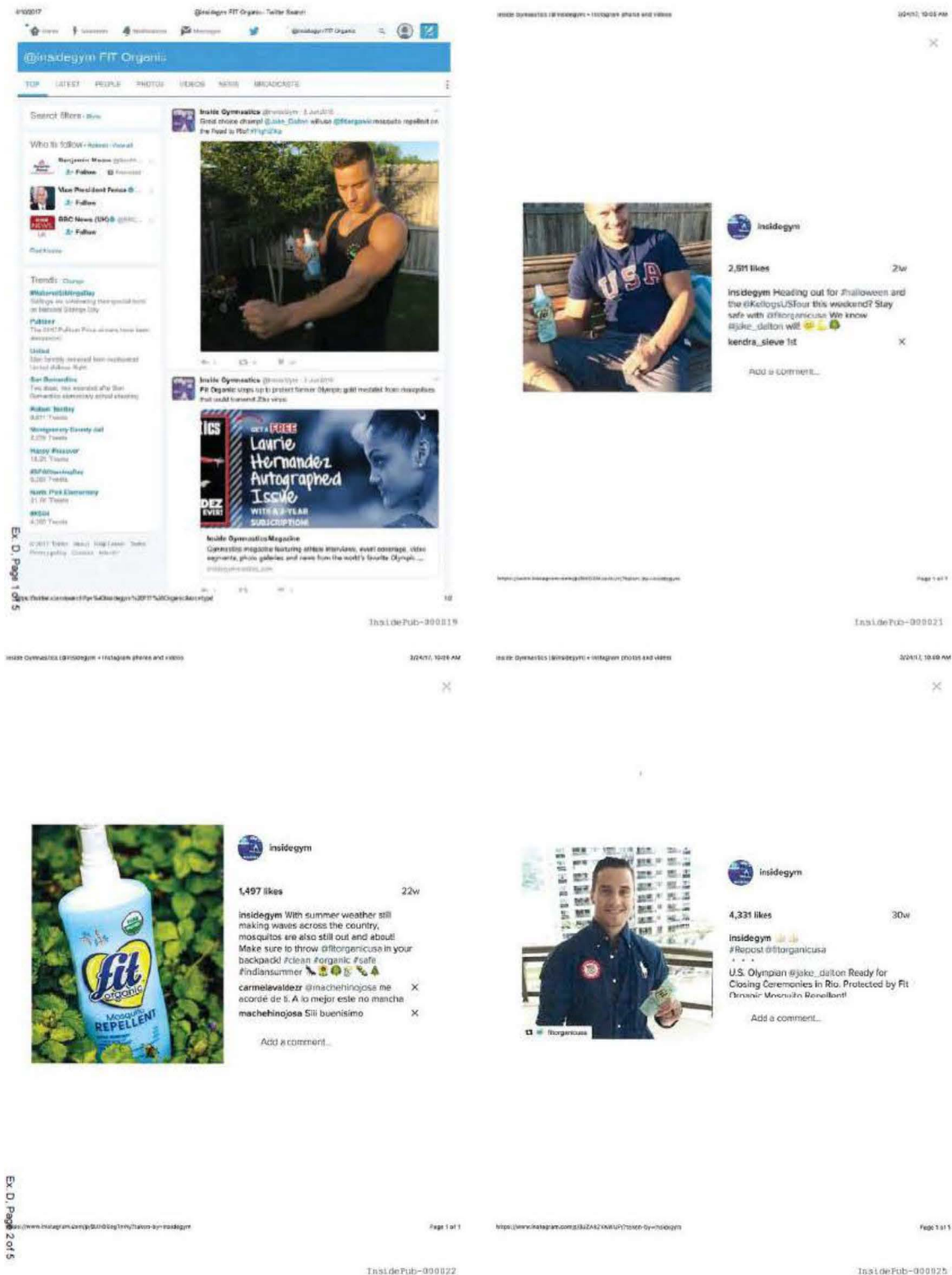
Page 1 of 1

Ex. C, Page 3 of 3

InsidePub-000098

Complaint

Exhibit D



Complaint

insidegym (@insidegym) • Instagram photos and videos

3/24/17, 10:10 AM

insidegym (@insidegym) • Instagram photos and videos

3/24/17, 10:18 AM



2,412 likes

31w

insidegym A big thank you to @fitorganicusa for providing their organic mosquito repellent to the team at Inside Gymnastics and also to gymnast @jessie_dobson to use here in Rio! Love the product! Can't wait to use it!

Add a comment...



3,001 likes

41w

insidegym Gymnasts making news left and right!
 #Repost @fitorganicusa She's big news!
 Carly Patterson appeared on CNN talking about the Zika virus and the difficult decision to compete at the Rio Olympics.
 #Zika #Rio2016 #Gymnastics

Add a comment...

Ex. D, Page 3 of 5

https://www.instagram.com/p/B0K3mL7v4/ taken by insidegym

Page 1 of 1

https://www.instagram.com/p/B0K3mL7v4/ taken by insidegym

Page 1 of 1

InsId de Pub-000026

InsId de Pub-000030

insidegym (@insidegym) • Instagram photos and videos

3/24/17, 10:21 AM

insidegym (@insidegym) • Instagram photos and videos

3/24/17, 10:22 AM



3,609 likes

42w

insidegym Yes! We'll be packing this for Brazil ourselves!
 #Repost @carlypatterson04 Thank you so much @fitorganicusa for the mosquito repellent! I love the smell & love that it's all organic & safe! I'm a buff for mosquitoes so this is a game changer!
 jennietart2 I have been using lemon/eucalyptus oil in a spray.

Add a comment...



2,755 likes

43w

insidegym We'll be bringing this with us to Brazil!
 #Repost @cleanwithfit it's here! Our certified USDA #organic Mosquito Repellent has been released! It has been tested to be 99% effective against #Zika

Add a comment...

Ex. D, Page 4 of 5

https://www.instagram.com/p/B0K3mL7v4/ taken by insidegym

Page 1 of 1

https://www.instagram.com/p/B0K3mL7v4/ taken by insidegym

Page 1 of 1

InsId de Pub-000033

InsId de Pub-000034

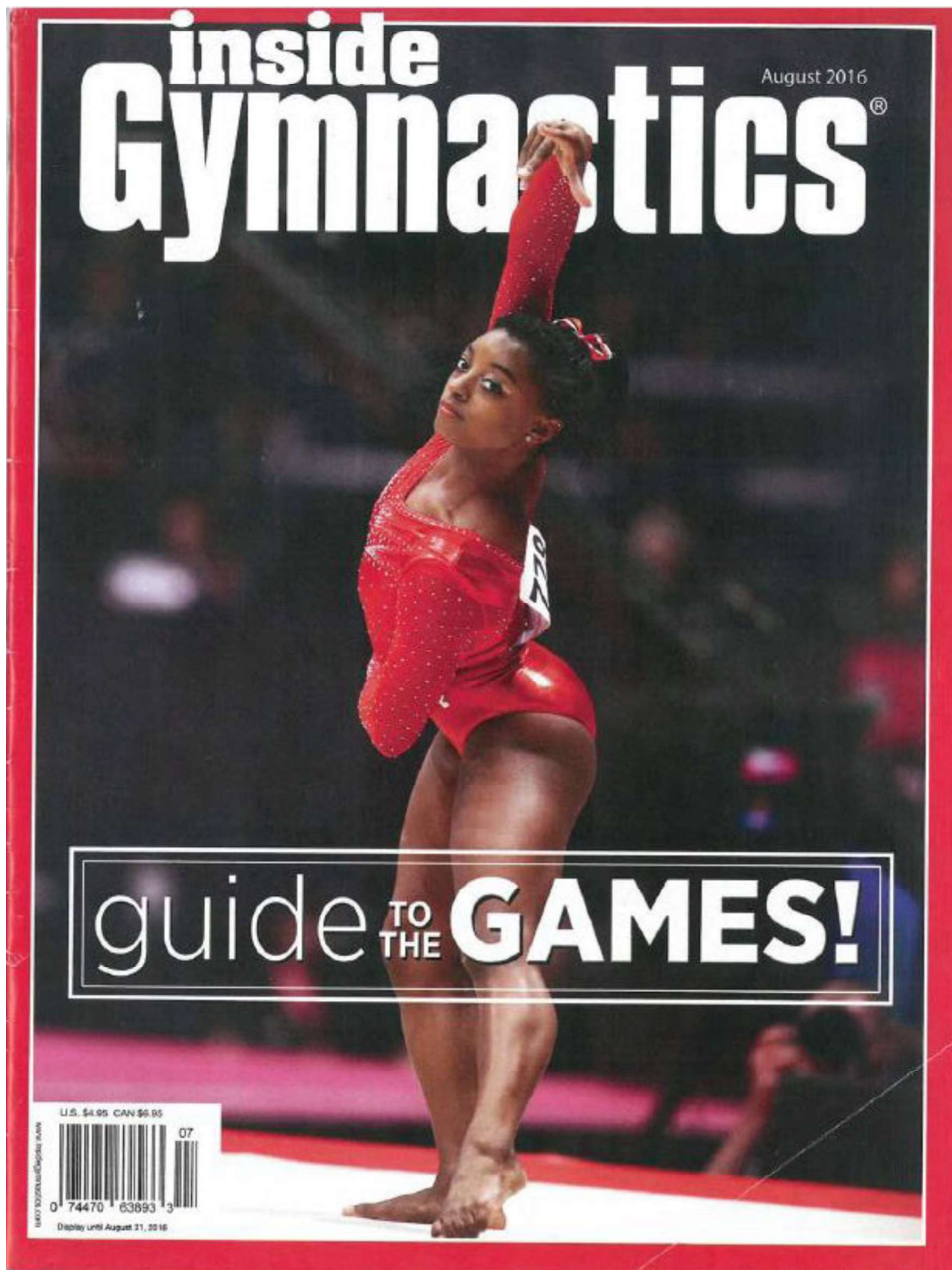
Complaint

**Inside Cheerleading** @insideCheer

We'll bring to camp!RT @cleanwithFIT: We have just released our new 100% certified USDA organic Mosquito Repellent.[prnewswire.com/news-releases/...](http://prnewswire.com/news-releases/)

Complaint

Exhibit E



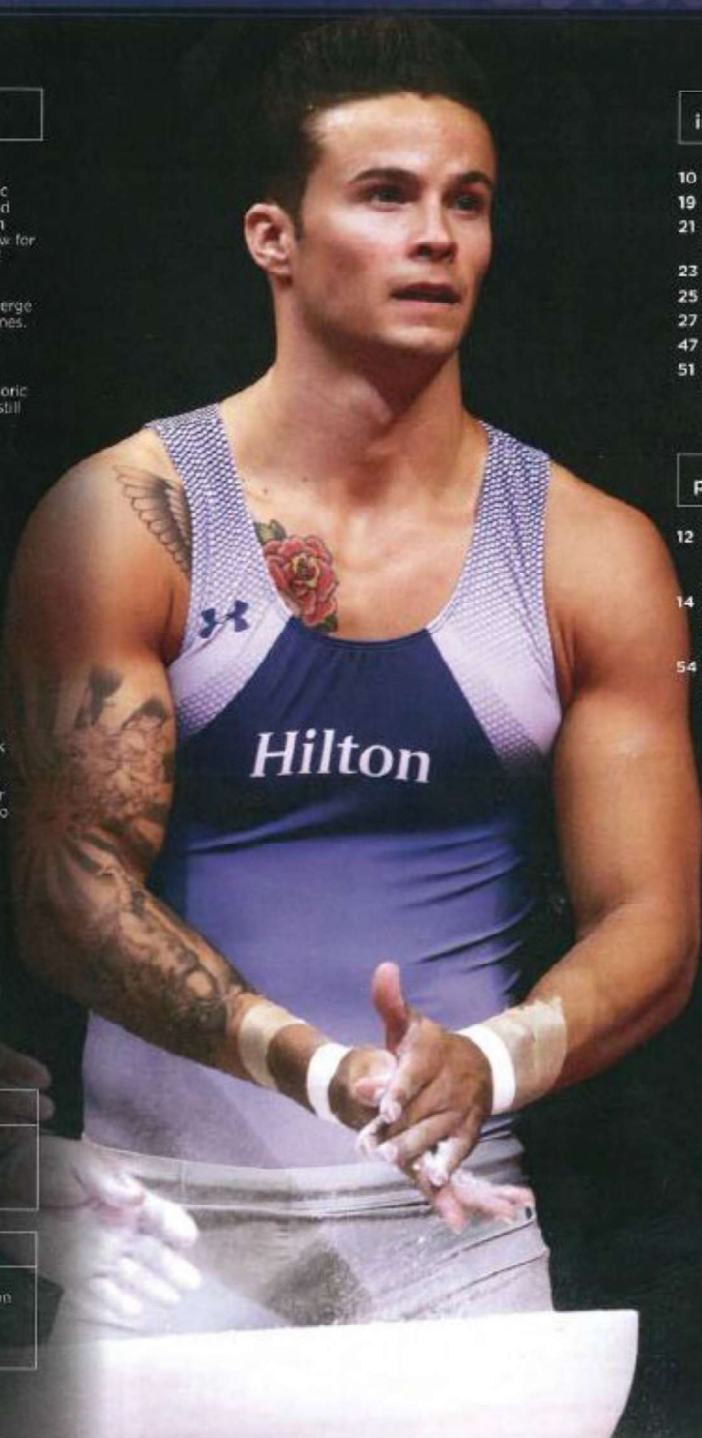
Ex. E, Page 1 of 9

Complaint

www.insidegymnastics.com August 2016

start | list

contents



features

28 Guide to the Games
Brazil hosts the first Olympic Games in South America and we have the inside scoop on everything you need to know for the ultimate fan experience!

37 Rio Rising
Five athletes who might emerge as breakout stars at the Games.
BY ELIZABETH GRIMSLEY

39 More Than Magnificent!
Twenty years after their historic gold, the Magnificent 7 are still shining!
BY ANNA ROSE JOHNSON

41 Kerri Strug: Family First
The Olympic Gold Medalist shares her thoughts on Rio, family and the vault that made her famous.
BY CHRISTY SANDMAIER

43 In Her Own Words...
Svetlana Bogunskaya talks family, following dreams and friendship with Oksana Chusovitina.
BY SVETLANA BOGUNSKAYA

45 My Excellent Adventure with Cirque du Soleil
From Las Vegas to New York to Montreal, our publisher hop-scotched through three Cirque du Soleil shows over one week, saying goodbye to one and hello to two!
BY CHRISTOPHER MOROTKY

ON THIS PAGE
American Paul Riggeri
PHOTO BY GRACE CHIU

ON THE COVER
Three-time World Champion Simone Biles
PHOTO BY GRACE CHIU

in every issue

10 Publisher's Page
19 Inside Buzz
21 People, Places and Faces
23 Chalking Up
25 Social Scene
27 Opinion Line
47 Industry Insider
51 Marketplace & Classifieds

photo features

12 Picture Perfect
Lauren Hernandez, USA
14 Freeze Frame
Sanne Wevers, Netherlands
54 Final Dismount
2012 Olympics Flashback

Complaint

My take August 2016

publisher's | page

I've been to every Olympic Games since 1996, with the exception of Athens (we were launching a sister magazine at the time), and each one holds remarkable memories of incredible moments. In 1996, I remember being in awe of Alexei Nemov's incredible style and the personality he infused into the sport. And of course, the Magnificent 7 - who we look back on in this issue - were simply magical with a will and determination like no other. They charted a new course in history and hold a special place in the hearts and minds of fans of the sport. In 2000, my good friend Steve McCain represented the USA and I experienced that Games through the eyes of his family, whom I traveled with. I remember my heart racing with each set Team USA performed, knowing how much each had gone through to compete. I remember John Roethlisberger, now a columnist for the magazine, eating his first donut in years at the conclusion of competition, having dedicated himself to a nutrition plan for years that would give him the best shot for optimal performance. Though it was one sacrifice, that donut represented the greater sacrifices that all athletes make when they dedicate themselves to a lifelong dream. In 2008, I remember the overall pageantry of the Games, Beijing wanted to put forth the greatest display ever of Olympic force, so to speak, and they put on an event that is one for the ages. From the 2012 Games, I remember the Fierce Five and what a monumental moment and team effort it was reaching the top of the podium. I remember Gabby Douglas gently wiping a tear from her eye and the joy that was beaming from her face.

Though each Games was uniquely different, one thing all had in common was the unique sense of "world community" and the incredible ability to bridge divides through sport. People set aside their differences and unify through an experience that is virtually indescribable. It's about so much more than sports. It's about pride of nation. It's about celebrating life. It's about finding common ground and camaraderie, even amongst the fiercest of competitors.

Walking through the Olympic grounds, people from hundreds of countries around the world are laughing together, smiling at each other and sharing stories while celebrating sport and life. Simply put, there is nothing like it. At each Games, I get goosebumps over and over and over, whether watching an incredible feat of sport or watching friendships develop, joined by this unbelievable experience called the Olympic Games.

As I prepare to head to Rio, I know I'll once again experience moments for a lifetime over a two-week span. Covering the sport, we get to know the athletes who will represent our country and have the opportunity to see first-hand all of the blood, sweat and tears that go into making a team. I remember asking U.S. Olympian Terin Humphrey what went through her head the moment an Olympic medal was being placed around her neck. She paused for a moment and then told me that both good times and tough times flashed through her mind and she realized at that moment that every sacrifice, every tough day she had endured was absolutely worth it. She told me that it was an accomplishment not only for herself, but for her country she was representing and how proud that made her. Something no one can ever take away. The Olympic spirit, defined.

Grace Chiu

Gabby Douglas reacts to seeing her name at the top of the leader board in the Women's All-Around competition in London.

Christopher Kordky

START YOUR
DIGITAL SUBSCRIPTION
TODAY!

{DOWNLOAD THE APP}

Download on the
App Store

FOUR EASY STEPS

- 1 SEARCH "INSIDE GYMNASTICS" IN THE APP STORE
- 2 DOWNLOAD THE APP
- 3 PLACE YOUR ORDER
- 4 THE CURRENT ISSUE WILL DOWNLOAD ONTO YOUR DEVICE

#INSIDENATION

GYMNASTICS
LIFE

inside publications

PRESIDENT/PUBLISHER
Christopher Kordky

VICE PRESIDENT, SALES
Shelly O'Brien

CREATIVE DIRECTOR
Mandi Mazonkey

GRAPHIC DESIGNER
DeLanie Melehes

EDITOR
Kelly O'Brien

EDITORIAL COORDINATOR
Christy Sandmaier

SALES MANAGER
Anastasia Miller

OFFICE SERVICES ASSOCIATE
Elizabeth Caton

ACCOUNTING MANAGER
Sheila Brackin

EVENTS COORDINATOR
Cameron Deer

LEAD CONSULTANT
Danielle Chelini

TECHNOLOGY AND WEB
Leonard Ridley

COLUMNISTS
Svetlana Bogunskaja • Wendy Bruce Martin
Shannon Miller • Gina Pongetti
John Roethlisberger

CORRESPONDENTS
Elizabeth Grimsley • Anna Rose Johnson
Allison Taylor

PHOTOGRAPHERS
Grace Chiu • Lloyd Smith • Tom Theobald

Submissions: Photo, content/story, letters to the editor and art submissions are welcome. All submissions become property of Inside Gymnastics magazine. For return of materials, please include a self-addressed stamped envelope with adequate postage. Inside Gymnastics assumes no responsibility for unsolicited contributed material. All correspondence should be directed to: Inside Gymnastics, P.O. Box 88606, Atlanta, GA 30356.

Inside Gymnastics is a trademark of and is published bi-monthly by Inside Publications LLC. All materials copyright Inside Publications and may not be reproduced in whole or in part without written permission. All rights reserved. Postage paid in Sun Prairie, Wis., and other mailing offices.

Subscription rate for 6 issues: U.S. \$19.95.
All other countries \$36.95 surface delivery, \$1 in U.S. funds.
Single copy issues: U.S. \$6.95.

Postmaster:
Send address changes to:
Inside Gymnastics, P.O. Box 88606,
Atlanta, GA 30356.
Tel: 770.364.7760 Fax: 770.364.7720
Email: info@insidegymnastics.com
www.insidegymnastics.com

**inside
Gymnastics**
MAGAZINE

Ex. E, Page 3 of 9

Complaint

30 hot topics that have the gymnastics community buzzing!

inside | buzz

trending

Photo by Grace Chiu

1 **Rehearsal** - A day in the life of a gymnast. The sounds of floors in the gym, sweat, and tears... At the Games, it's all about the gold!

2 **More Hype, Please!** - We're loving the USA Gymnastics video series. Made in America, available on their YouTube channel. Well done!

3 **Six Days Before** - Weeks before the Women's Olympic Trials in San Jose, USA Gymnastics announced that the event was officially sold out. We expect an absolutely electric atmosphere in the SAP Center!

4 **Zika Confusion** - A group of 150 health experts issued an open letter calling for the 2016 Olympics to be delayed or moved due to health concerns, but the World Health Organization responded that there was no public health justification for a change. Still, concerns about the virus understandably abound. Our team will be wearing P4 Olympic mosquito repellent during the Games.

5 **Russian Revolution?** - The Russian men's gymnastics program has worked for years to return to the glory of its golden age and continue to make strides, including a victory at the recent European Championships, edging Great Britain.

6 **Nutrition in the NCAA** - The debate continues to rage regarding early commitments of athletes to NCAA programs. Which side of the debate are you on? Let us know @insidegym.

7 **A Moment for Maddie** - U.S. Gymnast Maddie Desch announced her retirement from elite gymnastics, having struggled for some time with a back injury. "I have decided to let my body heal and look forward to the amazing chapter I have ahead at the University of Alabama," she said.

8 **Ninja Challenge - Got Skills?** - How are your Ninja skills? Test them out at a USA Gymnastics premiere event this summer! (More in Chalking Up)

9 **Coach Elise!** - The University of Washington has a new women's head coach - 2000 Olympic medalist Elise Ray, who has served as the associate head coach since the beginning of last season. Congratulations, Elise!

10 **Golden Viewing!** - Gabby Douglas' docu-series, *Douglas Family Gold*, debuted last month on Oxygen and gives fans a glimpse into her life off of the competition floor.

LONGINES

19

Complaint

Posts that have people talking!

social | scene



caring for carly
FIT ORGANIC STEPS UP TO PROTECT FORMER OLYMPIC GOLD MEDALIST FROM MOSQUITOS THAT COULD TRANSMIT ZIKA VIRUS

2004 Olympic Gold Medalist Carly Patterson-Caldwell was looking forward to joining her Olympic family in Rio for the 2016 summer Games. However, because she is focused on starting a family of her own, Patterson-Caldwell made the difficult decision not to attend the Games. "I just couldn't risk our future with the threat of the Zika virus," she said. So instead of Rio, Carly and her husband Mark will be spending the summer at home, just outside of Dallas. There's just one problem: The Texas State Health Department is preparing for what could be a large scale outbreak of the Zika virus. Patterson-Caldwell could be just as much at risk for Zika in her own backyard as she would have been in Rio.

Hearing about her story through the team at *Inside Gymnastics* magazine—and knowing of the potential Zika virus outbreak in Texas, Fit Organic CEO Todd Wichmann sprang into action. His marketing team contacted Patterson-Caldwell, offering her and her family a lifetime supply of his new USDA-Certified organic mosquito repellent, scientifically proven to repel mosquitoes that might transmit the Zika virus. More importantly, the company says it's safe for pregnant women and children.

"I was so touched and thankful that Fit Organic reached out to me," said Patterson-Caldwell. "I've been looking for an organic product that would repel mosquitoes and keep my family safe from the Zika virus. Fit Organic Mosquito Repellent is exactly what I was looking for. Fit Organic's CEO said it was the least he could do, especially when he learned that Patterson-Caldwell was planning on becoming a mom. 'I'm a parent before anything else,' said Wichmann. The goal is to protect them—like Carly and her family—from the Zika virus."



Fit Organic Mosquito Repellent can be purchased online at Amazon.com or at FitOrganic.com.

Must-See

SYTYCD!

We're loving the new season of the Emmy Award-winning FOX series, *So You Think You Can Dance!* Focusing on "the next generation" of dancers, this season pairs 10 young dancers (under 13-years-old) with All-Star favorites from past seasons to compete for the title of "America's Favorite Dancer." We had the opportunity to interview the top 10 recently, and we're so impressed with the incredible level of talent and mind-boggling maturity of the talented field!

BTW 200,000+ are Following Us on Instagram. Are you?!

Follow us! @InsideGym @InsideGym /InsideGymnastics

"CHEW ON A PAIR OF THESE"



WWW.ENGLISHBULLDOGGRIPS.COM

ENGLISH BULLDOG

PREMIUM DOWEL GRIPS

ORDER ONLINE
www.unitedathletic.com

OR CALL
1-800-877-5294

Complaint

We're proponents of the U.S. gymnasts wearing red, white and blue leotards in Olympic team finals. Remember the Magnificent 7 in their beautiful patriotic leotard in Atlanta 1996? Yes, the Fierce Five were stunning in 2012 with red leotards (dazzling with crystals), but fans back home long for the celebrated, patriotic look. We can't wait to see what they step onto the competition floor wearing! U.S. Olympic gymnast Wendy Bruce Martin shares her perspective on the fashion front...

Whenever fans see our U.S. gymnasts wearing leotards that are not red, white and blue during the Olympics, it can cause a little uproar - as we've seen on social media! Some say that focusing on a leotard color rather than the athlete's accomplishment is ridiculous. I do agree that leotard color does not take away from a gymnast's accomplishment; whatsoever. I also understand why it bothers coaches, athletes, and fans. Instead of sending congratulatory tweets, we've seen many cases of fans debating leotard colors after a competition. Personally, I do feel leotard selection does matter, and it has nothing to do with gymnastics.

Every four years, a select few earn the opportunity to represent their country at the Olympics, the world's greatest sports stage. But competing in the Olympics is a representation of so much more. The United States of America chooses their most qualified athletes and supports them in their battle. The people of the United States sit at home, watching with pride. For two weeks, Americans put their religious, political, and racial differences aside and the entire country comes together to bestow love and support upon their athletes. Their athletes, representing their nation.



Wendy Bruce Martin was a member of the 1992 Olympic team and has been involved in gymnastics for 36 years, including coaching for 22. She received a degree in psychology and is a certified mental toughness coach, who owns the Mental Toughness Company, GET PSYCHED! and is co-owner of Gold Medal Moms. You can visit Wendy at www.WendyBruceMartin.com

a return to **PATRIOTIC** LEOTARDS?

These athletes are not only competing for themselves. They are competing for their coach, their gym, their state, their country and the people of that country. They are not alone in their fight. They represent all the people of the United States. They are symbols of what the United States stands for. Our athletes are the image of strength, compassion, acceptance, diversity and power. They represent freedom and opportunity.

Wearing the colors that represent the United States is a symbol that shows pride, honor, and fellowship among all Americans. The red, white and blue, and the stars and stripes are unmistakably American. It is an honor to be able to wear them.

I was a member of the 1992 Olympic team and our leotards were red, white and blue, and our warm-up suits were red, white and blue with huge stars and stripes. When we received our apparel, we felt pride in being a part of TEAM USA, and the apparel symbolized that. When we put on our leotards we felt it, we felt it with pride. We felt the patriotism.

To me, it mattered. Not everyone is given the opportunity to represent their country. I wanted to be in our colors. When standing on the awards stand, I was proud to be in red, white and blue. I was proud to represent the country that gave me the opportunity to achieve my dreams, and I was proud to be an American.



the latest on **ZIKA**

Many traveling to the Olympic Games are concerned about the Zika virus and its potential affects. Some, including former Olympic Champ Carly Patterson-Caldwell, even decided not to attend the Games because of Zika concerns (see story earlier in issue). Here is some information from the CDC on the disease.

"Zika virus disease (Zika) is a disease caused by the Zika virus, which is spread to people primarily through the bite of an infected *Aedes* species mosquito. The most common symptoms of Zika are fever, rash, joint pain, and conjunctivitis (red eyes). The illness is usually mild with symptoms lasting for several days to a week after being bitten by an infected mosquito. People usually don't get sick enough to go to the hospital, and they very rarely die of Zika. For this reason, many people might not realize they have been infected. However, Zika virus infection during pregnancy can cause a serious birth defect called microcephaly, as well as other severe fetal brain defects. Once a person has been infected, he or she is likely to be protected from future infections."

During the Games, the team at *Inside Gymnastics* will be using *Fit Organic Mosquito Repellent Spray*, the official mosquito repellent of *Inside Gymnastics* magazine. Five years in development, the new *Fit Organic Mosquito Repellent Spray* is a unique formula comprised of two key ingredients: organic lemongrass grown in Nepal and organic oleic acid derived from sunflowers in the United Kingdom. The company is providing product complimentary to a number of athletes, including U.S. gymnast Jake Dalton.



 **guide TO THE GAMES!**



Complaint

in the
SPOTLIGHT:
#REBELLEVEL Rebel Gymnastics

ADVERTORIAL

 Gordon Steinecke, Vice President of Design for Rebel Gymnastics, talks about the company's line of products, its innovative design and quality, and Olympic-year trends.

Rebel Gymnastics is relatively new to the gymnastics market. How has the reception been?
Overwhelmingly positive! People are so excited about our new line and there is a lot of interest and buzz in the gymnastics world. We are looking forward to having Rebel in every gym across America. Gymnastics is a special sport where the girl's leotard accentuates their beautiful movements. Gymnasts want to pair their hard work with a leotard that shows off those hard-earned skills.

What are some of the characteristics that make Rebel Gymnastics leotards unique?
It's more than just the uniqueness of design; it's the Rebel attitude behind it. We are the first company to bring the fashion-industry's design style to competitive gymnasts. We aim to provide an increased level of product choice, customization, design intricacy, service and value to our customers.

Karen Noseff Aldridge, the founder of the company, has a background in mainstream fashion that she infused into the leotard designs. Talk a little about that...
Because of her background, Karen was able to see where there was something missing in the cheer world... the couture, stylish, designer cheer uniform. Now, there are many more design options than just an old boring cheer uniform. With that same vision, we want to fill the gap for gymnasts and revolutionize the gymnastics world. Innovating designs have helped raise the bar and bridge that gap between being just a leotard, but having a leotard that elevates a gymnast's performance to a whole new level. It's not just about designing a leotard that fits the same mold; it's about shattering that mold and pushing boundaries.

With this being an Olympic year, red, white and blue or patriotic themed leotards are a big hit. Is this a big initiative for Rebel Gymnastics this year as well?
What's great about Rebel is that we strive to give our customers what their heart desires and, with it being an Olympic year, red, white and blue leos are definitely on trend. We are thrilled to create looks that incorporate the patriotism customers are feeling, and add a flair only Rebel can offer. Taking things to #RebelLevel is what we do.

What are some of the other trends we can expect in leotards over the next year?
At Rebel it's not just about what's trendy, it's also about creating the best. The best design, the best fabrics, the best fits, and getting it all with the best value. Our designs are one-of-a-kind, show stopping pieces that are only limited by what you can dream up. With Rebel, anything is possible!

For companies interested in learning more about Rebel Gymnastics and its line of products, what are the best ways for them to connect?
Call our corporate office at 855.Rebel68 to begin designing a custom leotard. We also have an active Social Media presence. Make sure you are following it all and be some of the first to see everything new with Rebel Gymnastics!

 @rebelgymnastics
 @rebelgymnastics
 /rebelgymnasticsleos



Images by Rebel Gymnastics

View the most recent Lookbook at
www.rebel-gymnastics.com

Complaint

EQUIPMENT: latest & greatest

ADVERTORIAL

With the 2016 Olympic games just around the corner, and some serious U.S. hardware in sight, gym enrollment numbers are sure to soar after the games. Be sure your gym is ready for the surge with the BEST and NEWEST equipment on the market!

AMERICAN ATHLETIC, INC.
AirTrack Training Set by AAI
AmericanAthletic.com/airtrak



AMERICAN GYMNAST
Parallel Blocks Set
American-Gymnast.com



DEARY'S GYM SUPPLY (DGS)
Workstation and Multi Bar
GymSupply.com



EXTREME ATHLETIC SUPPLY
X-Factor Floor Bars
EASupply.net



GMR
By GMR Alumaflex Competition Balance Beam
ByGMR.com



INSIDEGYMNASTICS.COM

MANCINO MANUFACTURING CO., INC.
Mini Foam Vault Table
Mancinomats.com



NORBERT'S ATHLETIC PRODUCTS, INC.
Ninja Challenge Course
Norberts.net



RESILITE
Incline Skill Development System
Resilite.com



ROSS ATHLETIC SUPPLY
Ross Athletic 7' x 14' Competition Trampoline
RossAthletic.com



SPIETH AMERICA
New Inflatable Line by Spieth America
SpiethAmerica.com



TUMBL TRAK
Hurdle Helper
TumbTrak.com



[Inside gymnastics] AUGUST 2016 | 49

Ex. E, Page 8 of 9

Complaint

marketplace | classifieds



energymusic.com

- * Download with EVERY purchase
- * Now available on *FLASHDRIVE!*
- * Hear all versions of every song online for FREE!!

floor music that
ROCKS!

AUSTIN FOAM PIT CUBES

Buy high quality foam pit cubes direct from the manufacturer for Gymnastics, BMX, FMX & skateboard foam pits.

Foam Cube Specifications:

- Color:** Blue or White
- Sizes:** 6x6x6 Price \$.83 ea
8x8x8 Price \$1.90 ea

Custom colors are available for an additional charge.



Call us at 229-942-9491

Check us out at
www.austinfoampitcubes.com

EAS
EXTREME ATHLETIC
SUPPLY

NEW!

**X-Factor
Bar System**

\$475.⁰⁰

Available with Men's or Women's Rails!

"This system is great for pirouette training
and really versatile tool!" - Mike Hunger, Twin City Twisters



www.easupply.net
(970)231-3905

Complaint

Exhibit F

maxion — x And We Begin! Men's Qu x Fit Organic (@cleanwithFi x

www.insidegymnastics.com/#!And-We-Begin-Men's-Qualification/cd9n/57a753c70cf2c65e

Team GBR has been on a steady climb with a combination of seasoned veterans and brimming talent. But with success comes expectation and with expectation comes pressure. The team didn't have their optimal outing in qualifications with a few errors, finishing in fifth, but has the potential to earn a podium position with a solid performance in finals. Team members acknowledge after the competition that the outing had room for improvement, but they also believed in their great potential. Max Whitlock, the 2014 World all-around silver medalist, was one of several competitors who struggled on vault (Yurchenko triple) today. Whitlock has added difficulty to both rings and p-bars this year and looks to not only help his team, but potentially earn an all-around medal as well. "You know in the 2015 World Championships, I realized what were my weaknesses and what I needed to work on, and those two sort of stood out," he told us. "So I needed to up them on the start value, and that's why I worked them." Pommel horse was an area he needed no upgrade as he moved none again that he's a challenger for gold here, earning the top qualifying posit f t B, nudging teammate Louis Smith by a tenth of a point.

Move Over, Mosquitos!
A lot of headlines leading up to the Olympics have centered around Brazil's battle with Zika. Athletes are mindful of the situation and taking precautions to ensure their protection. U.S. Gymnast Jake Dalton recently became a Brand Ambassador for Fit Organic, a company that produces an organic mosquito repellent, which he uses daily in Rio. "I actually have Fit Organic right by the door and I use it right before we go out every day to protect ourselves. I use it if I want to go out and sit on the balcony because I like to be outdoors. It's just one less thing I have to worry about now. My family is also going to be using it here in Rio." The team at Inside Gymnastics is also using Fit Organic throughout our stay in Rio, and we thank them for supplying us with product!

• **By the Numbers**
 • 91: The U.S. Men's Gymnastics team has a chance at nine medals in six more categories: Team, all-around, and four individual events.
 • 0.056: The razor-thin margin that China edged Team USA by in qualifications (270.461 to 270.405).
 • 101: The total number of medals that U.S. has earned in the sport of gymnastics in the history of the Olympic Games.
 • 182: The total number for the [former] Soviet Union, the only country that holds the current record over the USA.

Don't miss an issue of Inside Gymnastics! [Subscribe here!](#)

Tags: Rio 2016

Catalina Ponor Catherine Lior
 Cathy Ripby Chae Campbell
 Chelsie Mammal Chelsea Dav
 Cheng Fei China Chris Brooki
 Christina Desiderio
 Claudia Frapapane
 Code of Points Colbi Flory
 Colombia Courtney Kupets
 Courtney McGregor
 Dalane dos Santos Danell Ley
 Daniel Purvis Daniela Silvas
 Daria Spindonova
 David Belyavsky Deanne Sozi
 Debora Reis Deng Linlin
 Deng Shudi Denis Ablyazin
 Diana Chelaru Dipa Karmakar
 Dominique Dawes
 Dominique Moceanu
 Dani Thompson
 Donnell Whittenburg
 Dons Fuchs Brause Drive to G
 Ekaterina Kramarenko
 Eleftherios Petrounias
 Elena Produnova
 Elena Shushunova Elisabeth S
 Elise Ray Elite
 Elite Gym Massila
 Elite Team Cup Elizabeth Price
 Ellie Black Ellie Downie
 Emily Gaskins Emily Schild

from search.

Complaint

Exhibit G

Fit Organic Mosquito Repellent - Walmart.com

Page 2 of 7

Departments		All + Search	Reorder Items	Sign In +	Cart
★★★★★ by Zgenbeauty There are two things that I never leave the house without...sunscreen and insect repellent! I always apply sunscreen but I always dread having to apply repellent. It usually smells bad and leaves a gross sticky oiliness behind. I received a couple of bottles of fit organic mosquito repellent. In exchange for my feedback and review, I must admit I let them sit on my dining room table for a while before I gave them a shot...mainly because I dread having to use mosquito repellent, but living in South Florida it's a must!! So the next time I went to my son's baseball game, I grabbed a bottle and threw it in my bag...So glad I did by the way! So first off I really love the packaging and the lack of a propellant spray. I had more control as to the amount of product I was using and where I wanted to spray it. Second I love love love the formula!!! It smells really good thanks to the lemongrass oil and is creamy, yet not oily at all. The formula absorbed quickly and actually left my skin feeling better than before I had applied it. I no longer dread having to apply/wear mosquito repellent and smell like horrible chemicals!!! Read less 		Yes (4) No (1) Report			
Great product! ★★★★★ by PalyG Verified purchaser I recommend this product. I really like the smell of it and that is deet free. I am constantly at parks with my kids and I feel comfortable reapplying the product without compromising my kids skin with chemicals. The lemongrass scent is awesome! I love this brand I was already using the vegetable wash.		11/6/2016 Was this review helpful? Yes (0) No (0) Report			
No bites!! ★★★★★ by pope74 I am truly amazed at how well this product works. After sitting outside for a couple of hours, not one bite. It has a lovely smell, doesn't leave your skin feeling oily and the best thing is it's organic and not tested on animals.		10/30/2016 Was this review helpful? Yes (1) No (0) Report			
Works like a charm... ★★★★★ by oldrwhzyer1 Verified purchaser And, without any pesticides or chemicals		10/30/2016 Was this review helpful? Yes (0) No (0) Report			
Love this stuff! ★★★★★ by ZoaZea This is probably the first time anyone has said their mosquito repellent smells as good as a fresh summery perfume, but the Fit Organic sure does! No kidding. I can wear this - and my favorite citrus-based perfume - and you'd never know I was wearing a mosquito repellent. This is an important factor for me - I live in Florida, where those blood-sucking parasites breed year-round, and repellent is a necessity, especially in the evenings. There's nothing worse than going to an outdoor party or restaurant and having to wear a stinky mosquito repellent with your nice outfit. Countless times, I've opted not to wear repellent for that reason, and I've been eaten alive. Now, I don't have to make any sacrifices - because this stuff works and it smells great. And I love the fact that it's organic and safe. Read less		10/28/2016 Was this review helpful? Yes (1) No (0) Report			

Ex. G, Page 1 of 5

Complaint

Fit Organic Mosquito Repellent - Walmart.com

Page 3 of 7

Departments All Search			Reorder Items	Sign In	Cart
by		No (0)			
I refused to use repellent in the past because I didn't want all of the chemicals on myself and my family. I am thrilled to have found an organic product that I can feel good about using. Very happy with my purchase.		Report			
good smell, light feel	10/25/2016	Was this review helpful?			
★★★★★		Yes (0)			
by scoutmom		No (1)			
Got this to have on hand since our family always needs bug spray, and wanted to test out a non-deet alternative. It smells good and feels light on the skin. Will be testing it out more when we go camping next.		Report			
GREAT Product!	10/24/2016	Was this review helpful?			
★★★★★		Yes (0)			
by Danielle		No (0)			
Love the Fit Organic Mosquito Repellent. Have used it a few times at the park and playing sand volleyball and haven't received a single mosquito bite. Not only does it work great - it doesn't feel like chemicals when you spray it on and it smells fresh. Definitely recommend!		Report			
Love this spray.	10/18/2016	Was this review helpful?			
★★★★★		Yes (0)			
by Mike		No (0)			
I absolutely love this repellent. It works fantastically and has no chemical stink. My kids love it too. Highly recommended		Report			
Great for the whole family	10/13/2016	Was this review helpful?			
★★★★★		Yes (0)			
by Mommahelp		No (0)			
I am always trying to find a bug spray for the whole family and I am not concerned with using this on my children. This is a great no DEET option that smells great and doesn't feel oily. The pump spray applicator is great for quick application which is what I need with impatient kiddos.		Report			
It Works!	10/12/2016	Was this review helpful?			
★★★★★		Yes (1)			
by TortReaves		No (0)			
Finally an organic mosquito repellent that actually keeps the little biters away. I have a tendency to get eaten up by mosquito bites and have a sensitivity to them that causes a bite to swell up into a large welt and itch for weeks. I have tried many other products and have only had luck with those filled with harsh chemicals until now. This product smells great and I can actually be outside at sunset without getting bitten. As a mother and nurse I also feel good about putting the Fit Organic products on myself and my small kids.		Report			
Read less					
Great scent and deet free!	10/12/2016	Was this review helpful?			
★★★★★		Yes (1)			
by KakiC		No (0)			
Works and doesn't smell like normal mosquito repellent! Smells clean and light lemon scent. I take it with me everywhere!		Report			

Ex. G, Page 2 of 5

<https://www.walmart.com/reviews/product/140152436>

10/25/2017

Complaint

Fit Organic Mosquito Repellent - Walmart.com

Page 4 of 7

Departments

All Search

Reorder Items

Sign In

Cart

by kole **Verified purchaser**

No (0)

Never liked using bug spray but this works and doesn't smell bad. It really works too.

Report

Love this brand!

10/12/2016

Was this review helpful?

★★★★★

Yes (1)

by Jessica

No (0)

Worth every penny! Fit Organic works really well, has a great smell and I feel safe using it on my skin.

Report

Great product. Be sure to reapply.

10/11/2016

Was this review helpful?

★★★★★

Yes (0)

by krumommy

No (1)

We have lots of allergies in my family and this worked for everyone. Be sure to reapply as stated on the instructions, because it does wear off.

Report

Works and Smells Great

10/11/2016

Was this review helpful?

★★★★★

Yes (0)

by Spenvio80

No (0)

This will be my go to from now on. It has a pleasant scent, is not oily and works. No one will ever know you are wearing it. A little goes a long way and it is cost effective. I live in the Smokey Mountains and a repellent is an everyday necessity.

Report

Great Product

10/10/2016

Was this review helpful?

★★★★★

Yes (0)

by Justin

No (0)

We all know the bugs in the South are huge so I decided to try this mosquito repellent. It worked great and didn't have that horrible smell like most have. It is also organic which is a huge plus for my sensitive skin.

Report

1 2 3

21-40 of 49 reviews

Ex. G, Page 3 of 5

<https://www.walmart.com/reviews/product/140152436>

10/25/2017

Complaint

Fit Organic Mosquito Repellent - Walmart.com

Page 1 of 3

Departments
All
Search
Reorder Items
Sign In
Cart

Household Essentials Pest Control

Customer Reviews


Fit Organic Mosquito Repellent
\$5⁹⁴
[Back to Item](#)


4.8 out of 5 | 49 reviews

5 stars 39
4 stars 8
3 stars 2

Write a review

Sort by: Newest to oldest

1 2 3 41-49 of 49 reviews

Works great

by Beooakub
Plan on taking this to the DR! Love that it's organic!

10/9/2016

Was this review helpful?

Yes (1)

No (0)

Report

Works great

by BeeehisperDon
With all the rain we have had in Southeast NC this year the mosquitoes have been terrible. After returning from Brazil, my brother Mark told me about this amazing spray he used there to combat the mosquitoes. I ordered mine right away. After only one application I was sold. The little buggers wouldn't even land. All natural, smells great, not greasy. It works!!!

10/5/2016

Was this review helpful?

Yes (0)

No (0)

Report

Mosquito spray

by
Deer hunted all weekend and not a single bite we love this stuff and will buy more.

10/5/2016

Was this review helpful?

Yes (1)

No (0)

Report

Amazing Product Works and Smells Great!

by Karen
We take Fit Organic Mosquito Repellent with us every where we go. Soccer games, hiking, hanging in our back yard! It smells great - not like your typical bug spray and it works great. Our neighbor complains about the mosquitos in his back yard. We can sit for hours when we're using Fit organic and never get a single bite! Love this product!

10/4/2016

Was this review helpful?

Yes (6)

No (0)

Report

Ex. G, Page 4 of 5

<https://www.walmart.com/reviews/product/140152436>

10/25/2017

Complaint

Fit Organic Mosquito Repellent - Walmart.com

Page 2 of 3

Departments
All
Search
Reorder Items
Sign In
Cart

by angela
Verified purchaser

No (0)
Report

It works great and I like that its organic

Good stuff
10/3/2016
Was this review helpful?

★★★★★
Yes (2)

by HappyCamper
No (0)

I take the family camping a lot and this stuff works great
Report

Worked for me in Brazil
9/29/2016
Was this review helpful?

★★★★★
Yes (4)

by Mark
No (0)

I used this product on a recent hike in a Brazilian rainforest and didn't get a single mosquito bite. A fellow hiker had been bitten by several mosquitos. Apparently, the spray he was using did not work. I loaned him my Fit Organic repellent and he loved it. He finished the hike without any more bites. This product smells great and is light on your skin. I highly recommend it.
Report

Works and smells great!
9/28/2016
Was this review helpful?

★★★★★
Yes (6)

by Laura
No (0)

Great product and doesn't make you cough or feel like you're putting on chemicals when you spray it on like DEET. Not only does it work, it smells so fresh and natural. I'm very satisfied.
Report

No bites at all!!
9/20/2016
Was this review helpful?

★★★★★
Yes (10)

by Susie
No (0)

Nothing usually works for my family and happened to try this product at a friend's house last weekend and I am so happy to say we got 0 bites the whole evening. Mosquitos usually attack me, in particular and after applying and rubbing in this product I was totally bite-free. We could actually see the mosquitos flying around my legs and they stayed off of my skin. It also smells so much better than products with DEET (which don't work for me anyway) and I was comfortable putting on my kids as well. Highly recommend trying this!!!!
Report

Read less

1 2 3

41-49 of 49 reviews

Ex. G, Page 5 of 5

<https://www.walmart.com/reviews/product/140152436>

10/25/2017

Decision and Order

DECISION

The Federal Trade Commission (“Commission”) initiated an investigation of certain acts and practices of the Respondents named in the caption. The Commission’s Bureau of Consumer Protection (“BCP”) prepared and furnished to Respondents a draft Complaint. BCP proposed to present the draft Complaint to the Commission for its consideration. If issued by the Commission, the draft Complaint would charge the Respondents with violations of the Federal Trade Commission Act.

Respondents Creaxion Corporation and Mark Pettit and BCP thereafter executed an Agreement Containing Consent Order (“Consent Agreement”). The Consent Agreement includes: 1) statements by Respondents Creaxion Corporation and Mark Pettit that they neither admit nor deny any of the allegations in the Complaint, except as specifically stated in this Decision and Order, and that only for purposes of this action, they admit the facts necessary to establish jurisdiction; and 2) waivers and other provisions as required by the Commission’s Rules.

The Commission considered the matter and determined that it had reason to believe that Respondents have violated the Federal Trade Commission Act, and that a Complaint should issue stating its charges in that respect. The Commission accepted the executed Consent Agreement and placed it on the public record for a period of 30 days for the receipt and consideration of public comments. The Commission duly considered any comments received from interested persons pursuant to Section 2.34 of its Rules, 16 C.F.R. § 2.34. Now, in further conformity with the procedure prescribed in Rule 2.34, the Commission issues its Complaint, makes the following Findings, and issues the following Order against Creaxion Corporation and Mark Pettit:

Findings

1. The Respondents are:
 - a. Respondent Creaxion Corporation, a Delaware corporation with its principal office or place of business at 1080 Peachtree Street NE, Suite 1810, Atlanta, Georgia 30309.
 - b. Respondent Mark Pettit, the Chief Executive Officer of Creaxion Corporation. Individually or in concert with others, he controlled, or had the authority to control, or participated in, the acts and practices alleged in the Complaint. His principal office or place of business is the same as that of Creaxion Corporation.
2. The Commission has jurisdiction over the subject matter of this proceeding and over the Respondents, and the proceeding is in the public interest.

Decision and Order

ORDER**Definitions**

For purposes of this Order, the following definitions apply:

- A. “Clearly and conspicuously” means that a required disclosure is difficult to miss (i.e., easily noticeable) and easily understandable by ordinary consumers, including in all of the following ways:
1. In any communication that is solely visual or solely audible, the disclosure must be made through the same means through which the communication is presented. In any communication made through both visual and audible means, such as a television advertisement, the disclosure must be presented simultaneously in both the visual and audible portions of the communication even if the representation requiring the disclosure (“triggering representation”) is made through only one means.
 2. A visual disclosure, by its size, contrast, location, the length of time it appears, and other characteristics, must stand out from any accompanying text or other visual elements so that it is easily noticed, read, and understood.
 3. An audible disclosure, including by telephone or streaming video, must be delivered in a volume, speed, and cadence sufficient for ordinary consumers to easily hear and understand it.
 4. In any communication using an interactive electronic medium, such as the Internet or software, the disclosure must be unavoidable.
 5. On a product label, the disclosure must be presented on the principal display panel.
 6. The disclosure must use diction and syntax understandable to ordinary consumers and must appear in each language in which the triggering representation appears.
 7. The disclosure must comply with these requirements in each medium through which it is received, including all electronic devices and face-to-face communications.
 8. The disclosure must not be contradicted or mitigated by, or inconsistent with, anything else in the communication.

Decision and Order

9. When the representation or sales practice targets a specific audience, such as children, the elderly, or the terminally ill, “ordinary consumers” includes reasonable members of that group.
- B. “Close proximity” means that the disclosure is very near the triggering representation. For example, a disclosure made through a hyperlink, pop-up, interstitial, or other similar technique is not in close proximity to the triggering representation.
- C. “Including” means including but not limited to.
- D. “Respondents” means Creaxion Corporation and Mark Pettit, individually or collectively.
 1. “Corporate Respondent” means Creaxion Corporation, a corporation, and its successors and assigns.
 2. “Individual Respondent” means Mark Pettit.
- E. “Unexpected material connection” means any relationship that might materially affect the weight or credibility of a testimonial or endorsement and that would not reasonably be expected by consumers.

Provisions**I. Prohibited Misrepresentations – Endorsements**

IT IS ORDERED that Respondents, and Respondents’ officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, whether acting directly or indirectly, in connection with the manufacturing, labeling, advertising, promotion, offering for sale, sale, or distribution of any product or service are prohibited from making, or assisting others in making, any misrepresentation, expressly or by implication, about the status of any endorser or person providing a review of the product or service, including a misrepresentation that the endorser or reviewer is an independent user or ordinary consumer of the product or service.

II. Required Disclosures – Endorsements

IT IS FURTHER ORDERED that Respondents, and Respondents’ officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, whether acting directly or indirectly, in connection with the advertising, promotion, offering for sale, or sale of any product or service are prohibited from making, or assisting others in making, any representation, expressly or by implication, about any consumer or other endorser of such product or service without disclosing, clearly and conspicuously, and in close proximity to that representation, any unexpected material connection

Decision and Order

between such endorser and (1) any Respondent or (2) any other individual or entity affiliated with the product or service.

III. Prohibited Misrepresentations – Deceptively Formatted Advertising

IT IS FURTHER ORDERED that Respondents, and Respondents' officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, whether acting directly or indirectly, in connection with the advertising, promotion, offering for sale, or sale of any product or service are prohibited from making, or assisting others in making, any misrepresentation, in any manner, expressly or by implication, that paid commercial advertising is a statement or opinion from an independent or objective publisher or source.

IV. Monitoring of Endorsers

IT IS FURTHER ORDERED that Respondents, and Respondents' officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, whether acting directly or indirectly, in connection with the advertising, promotion, offering for sale, or sale of any product or service by means of an endorsement by an endorser with a material connection to (1) any Respondent or (2) any other individual or entity affiliated with the product or service, must take steps sufficient to ensure compliance with Provisions I and II of this Order. Such steps shall include, at a minimum:

- A. Providing each such endorser with a clear statement of their responsibilities to disclose clearly and conspicuously, and in close proximity to the endorsement, in any print, radio, television, online, or digital advertisement or communication, the endorser's unexpected material connection to any Respondent or any other individual or entity affiliated with the product or service, and obtaining from each such endorser a signed and dated statement acknowledging receipt of that statement and expressly agreeing to comply with it;
- B. Establishing, implementing, and thereafter maintaining a system to monitor and review the representations and disclosures of endorsers with material connections to any Respondent or any other individual or entity affiliated with the product or service to ensure compliance with Provisions I and II of this Order. The system shall include, at a minimum, monitoring and reviewing the endorsers' print, radio, television, online or digital advertisement or communication;
- C. Immediately terminating and ceasing payment to any endorser with a material connection to any Respondent or any other individual or entity affiliated with the product or service who Respondents reasonably conclude:
 1. Has misrepresented, in any manner, their independence or impartiality; or

Decision and Order

2. Has failed to disclose, clearly and conspicuously, and in close proximity to the endorsement, an unexpected material connection between such endorser and any Respondent or any other individual or entity affiliated with the product or service.

Provided, however, that Respondents may provide an endorser with notice of failure to adequately disclose and an opportunity to cure the disclosure prior to terminating the endorsement relationship if Respondents reasonably conclude that the failure to adequately disclose was inadvertent. Respondents shall inform any endorser to whom they have provided a notice of a failure to adequately disclose an unexpected material connection that any subsequent failure to adequately disclose will result in immediate termination; and

- D. Creating reports showing the results of the monitoring required by this Provision.

V. Acknowledgments of the Order

IT IS FURTHER ORDERED that Respondents obtain acknowledgments of receipt of this Order:

- A. Each Respondent, within 10 days after the effective date of this Order, must submit to the Commission an acknowledgment of receipt of this Order sworn under penalty of perjury.
- B. Individual Respondent, for any business that such Respondent, individually or collectively with any other Respondents, is the majority owner or controls directly or indirectly, and Corporate Respondent must deliver a copy of this Order to: (1) all principals, officers, directors, and LLC managers and members; (2) all employees, agents, and representatives who participate in conduct related to the subject matter of the Order; and (3) any business entity resulting from any change in structure as set forth in the Provision titled Compliance Reports and Notices. Delivery must occur within 10 days after the effective date of this Order for current personnel. For all others, delivery must occur before they assume their responsibilities.
- C. From each individual or entity to which a Respondent delivered a copy of this Order, that Respondent must obtain, within 30 days, a signed and dated acknowledgment of receipt of this Order.

VI. Compliance Reports and Notices

IT IS FURTHER ORDERED that Respondents make timely submissions to the Commission:

- A. Sixty days after the issuance date of this Order, each Respondent must submit a compliance report, sworn under penalty of perjury, in which:

Decision and Order

1. Each Respondent must: (a) identify the primary physical, postal, and email address and telephone number, as designated points of contact, which representatives of the Commission, may use to communicate with Respondent; (b) identify all of that Respondent's businesses by all of their names, telephone numbers, and physical, postal, email, and Internet addresses; (c) describe the activities of each business, including the goods and services offered, the means of advertising, marketing, and sales, and the involvement of any other Respondent (which Individual Respondent must describe if he knows or should know due to his own involvement); (d) describe in detail whether and how that Respondent is in compliance with each Provision of this Order, including a discussion of all of the changes the Respondent made to comply with the Order; and (e) provide a copy of each Acknowledgment of the Order obtained pursuant to this Order, unless previously submitted to the Commission.
 2. Additionally, Individual Respondent must: (a) identify all his telephone numbers and all his physical, postal, email and Internet addresses, including all residences; (b) identify all his business activities, including any business for which such Respondent performs services whether as an employee or otherwise and any entity in which such Respondent has any ownership interest and over which Respondents have direct or indirect control; and (c) describe in detail such Respondent's involvement in each such business activity, including title, role, responsibilities, participation, authority, control, and any ownership.
- B. For 10 years after the issuance date of this Order, each Respondent must submit a compliance notice, sworn under penalty of perjury, within 14 days of any change in the following:
1. Each Respondent must submit notice of any change in: (a) any designated point of contact; or (b) the structure of any Corporate Respondent or any entity that Respondent has any ownership interest in or controls directly or indirectly that may affect compliance obligations arising under this Order, including: creation, merger, sale, or dissolution of the entity or any subsidiary, parent, or affiliate that engages in any acts or practices subject to this Order.
 2. Additionally, Individual Respondent must submit notice of any change in: (a) name, including alias or fictitious name, or residence address; or (b) title or role in any business activity, including (i) any business for which such Respondent performs services whether as an employee or otherwise and (ii) any entity in which such Respondent has any ownership interest and over which Respondents have direct or indirect control. For each such business activity, also identify its name, physical address, and any Internet address.

Decision and Order

- C. Each Respondent must submit notice of the filing of any bankruptcy petition, insolvency proceeding, or similar proceeding by or against such Respondent within 14 days of its filing.
- D. Any submission to the Commission required by this Order to be sworn under penalty of perjury must be true and accurate and comply with 28 U.S.C. § 1746, such as by concluding: “I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on: _____” and supplying the date, signatory’s full name, title (if applicable), and signature.
- E. Unless otherwise directed by a Commission representative in writing, all submissions to the Commission pursuant to this Order must be emailed to DEbrief@ftc.gov or sent by overnight courier (not the U.S. Postal Service) to: Associate Director for Enforcement, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580. The subject line must begin: *In re Creaxion Corp.*, C-4688.

VII. Recordkeeping

IT IS FURTHER ORDERED that Respondents must create certain records for 10 years after the issuance date of the Order, and retain each such record for 5 years, unless otherwise specified below. Specifically, Corporate Respondent and Individual Respondent for any business that such Respondent, individually or collectively with any other Respondents, is a majority owner or controls directly or indirectly, must create and retain the following records:

- A. Personnel records showing, for each person providing services in relation to any aspect of the Order, whether as an employee or otherwise, that person’s: name; addresses; telephone numbers; job title or position; dates of service; and (if applicable) the reason for termination;
- B. A copy of each unique advertisement or other marketing material making a representation subject to this Order; and
- C. All records necessary to demonstrate full compliance with each provision of this Order, including all submissions to the Commission.

VIII. Compliance Monitoring

IT IS FURTHER ORDERED that, for the purpose of monitoring Respondents’ compliance with this Order:

- A. Within 10 days of receipt of a written request from a representative of the Commission, each Respondent must: submit additional compliance reports or other requested information, which must be sworn under penalty of perjury, and produce records for inspection and copying.

Decision and Order

- B. For matters concerning this Order, representatives of the Commission are authorized to communicate directly with each Respondent. Respondents must permit representatives of the Commission to interview anyone affiliated with any Respondent who has agreed to such an interview. The interviewee may have counsel present.
- C. The Commission may use all other lawful means, including posing through its representatives as consumers, suppliers, or other individuals or entities, to Respondents or any individual or entity affiliated with Respondents, without the necessity of identification or prior notice. Nothing in this Order limits the Commission's lawful use of compulsory process, pursuant to Sections 9 and 20 of the FTC Act, 15 U.S.C. §§ 49, 57b-1.
- D. Upon written request from a representative of the Commission, any consumer reporting agency must furnish consumer reports concerning Individual Respondent, pursuant to Section 604(2) of the Fair Credit Reporting Act, 15 U.S.C. § 1681b(a)(2).

IX. Order Effective Dates

IT IS FURTHER ORDERED that this Order is final and effective upon the date of its publication on the Commission's website (ftc.gov) as a final order. This Order will terminate 20 years from the date of its issuance (which date may be stated at the end of this Order, near the Commission's seal), or 20 years from the most recent date that the United States or the Commission files a complaint (with or without an accompanying settlement) in federal court alleging any violation of this Order, whichever comes later; *provided, however*, that the filing of such a complaint will not affect the duration of:

- A. Any Provision in this Order that terminates in less than 20 years;
- B. This Order's application to any Respondent that is not named as a defendant in such complaint; and
- C. This Order if such complaint is filed after the Order has terminated pursuant to this Provision.

Provided, further, that if such complaint is dismissed or a federal court rules that the Respondent did not violate any provision of the Order, and the dismissal or ruling is either not appealed or upheld on appeal, then the Order will terminate according to this Provision as though the complaint had never been filed, except that the Order will not terminate between the date such complaint is filed and the later of the deadline for appealing such dismissal or ruling and the date such dismissal or ruling is upheld on appeal.

Analysis to Aid Public Comment

By the Commission.

ANALYSIS OF CONSENT ORDER TO AID PUBLIC COMMENT

The Federal Trade Commission (“Commission”) has accepted, subject to final approval, an agreement containing a consent order as to Creaxion Corp. and Mark Pettit, and an agreement containing a consent order as to Inside Publications, LLC of Georgia and Christopher Korotky (“respondents”).

The proposed consent orders (“orders”) have been placed on the public record for 30 days for receipt of comments by interested persons. Comments received during this period will become part of the public record. After 30 days, the Commission will again review the orders and the comments received, and will decide whether it should withdraw the orders or make them final.

This matter involves the respondents’ endorsement and advertising format practices with respect to the advertising and promotional campaign they created and implemented for FIT Organic Mosquito Repellent. The complaint alleges that the respondents violated Section 5(a) of the FTC Act by misrepresenting that certain endorsements reflected the independent experiences or opinions of impartial users, and by deceptively failing to disclose that certain endorsers had material connections with the endorsed product, namely that they were paid spokespersons, they were reimbursed for the cost of the product, or they owned or were employed by Creaxion, the public relations firm hired to promote the product. The complaint also alleges that the respondents violated Section 5(a) by misrepresenting that certain advertisements were independent statements and opinions of impartial publications when they actually were paid commercial advertising.

The orders include injunctive relief that prohibit these alleged violations and fences in similar and related conduct. The provisions apply to any product or service.

Part I prohibits misrepresenting the status of any endorser or person reviewing the product or service, including that he or she is an independent user or ordinary consumer of the product or service.

Part II prohibits any representation about any consumer or other endorser of such product or service without disclosing, clearly and conspicuously, and in close proximity to that representation, any unexpected material connection between such endorser and any respondent, or other individual or entity affiliated with the product or service. Each order defines the terms “clearly and conspicuously” and “unexpected material connection.”

Analysis to Aid Public Comment

Part III prohibits misrepresenting that paid commercial advertising is a statement or opinion from an independent or objective publisher or source.

Part IV requires the respondents, when they use endorsers to advertise or sell a product or service, to take certain steps to make sure the endorsements comply with Parts I and II of the order. Such steps include clearly notifying endorsers of their representation and disclosure responsibilities, creating a monitoring system to review endorsements and disclosures, and terminating any endorser who fails to comply with Parts I and II.

Part V requires the respondents to distribute the order to certain persons and submit signed acknowledgments of order receipt.

Part VI requires the respondents to file compliance reports with the Commission, and to notify the Commission of bankruptcy filings or changes in corporate structure that might affect compliance obligations.

Part VII contains recordkeeping requirements for personnel records, advertising and marketing materials, and all records necessary to demonstrate compliance with the order.

Part VIII contains other requirements related to the Commission's monitoring of the respondents' order compliance.

Part IX provides the effective dates of the order, including that, with exceptions, the order will terminate in 20 years.

The purpose of this analysis is to facilitate public comment on the orders, and it is not intended to constitute an official interpretation of the complaint or orders, or to modify the orders' terms in any way.

Complaint

IN THE MATTER OF

**CREAXION CORPORATION,
MARK PETTIT,
INSIDE PUBLICATIONS, LLC OF GEORGIA,
AND
CHRISTOPHER KOROTKY**CONSENT ORDER, ETC. IN REGARD TO ALLEGED VIOLATIONS OF SECTION 5 OF THE FEDERAL
TRADE COMMISSION ACT*Docket No. C-4669; File No. 172 3067**Complaint, January 31, 2019 – Decision, January 31, 2019*

This consent order addresses Inside Publications, LLC of Georgia's endorsement and advertising format practices with respect to the advertising and promotional campaign they created and implemented for FIT Organic Mosquito Repellent. The complaint alleges that the respondents violated Section 5(a) of the Federal Trade Commission Act by misrepresenting that certain endorsements reflected the independent experiences or opinions of impartial users, and by deceptively failing to disclose that certain endorsers had material connections with the endorsed product, namely that they were paid spokespersons, they were reimbursed for the cost of the product, or they owned or were employed by Creaxion, the public relations firm hired to promote the product. The complaint also alleges that the respondents violated Section 5(a) by misrepresenting that certain advertisements were independent statements and opinions of impartial publications when they actually were paid commercial advertising. The consent order prohibits misrepresenting the status of any endorser or person reviewing the product or service, including that he or she is an independent user or ordinary consumer of the product or service; and any representation about any consumer or other endorser of such product or service without disclosing, clearly and conspicuously, and in close proximity to that representation, any unexpected material connection between such endorser and any respondent, or other individual or entity affiliated with the product or service.

Participants

For the *Commission*: Karen Mandel and Shira Modell.

For the *Respondents*: H. Barber Boone, Butler Snow LLP.

COMPLAINT

The Federal Trade Commission, having reason to believe that Creaxion Corporation, Mark Pettit, Inside Publications, LLC of Georgia, and Christopher Korotky (collectively, "Respondents") have violated the provisions of the Federal Trade Commission Act, and it appearing to the Commission that this proceeding is in the public interest, alleges:

1. Respondent Creaxion Corporation ("Creaxion") is a Delaware corporation with its principal office or place of business at 1080 Peachtree Street NE, Suite 1810, Atlanta, Georgia 30309. Creaxion is a marketing and public relations company.

2. Respondent Mark Pettit is the Chief Executive Officer of Creaxion. Individually or in concert with others, he controls, or has the authority to control, or participated in, the acts